



## **CITY OF SANTA BARBARA**

### **COUNCIL AGENDA REPORT**

**AGENDA DATE:** February 3, 2009

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Contract For Construction Of The Carrillo Sidewalk Infill Project

**RECOMMENDATION:** That Council:

- A. Reject the bid protest, and award and authorize the Public Works Director to execute a contract with V. Lopez Jr. & Sons (Lopez), waiving minor bid irregularities, in their low bid amount of \$366,731, for construction of the Carrillo Sidewalk Infill Project (Project), Bid No. 3551, and authorize the Public Works Director to approve expenditures up to \$36,675 to cover any cost increases that may result from contract change orders for extra work and differences between bid quantities and actual quantities measured for payment;
- B. Authorize the Public Works Director to accept the final contract amount, with approved changes, and to file the Notice of Completion (NOC) with the County Clerk Recorder; and
- C. Authorize the General Services Manager to issue a Purchase Order to Fugro West, Inc. (Fugro), in the amount of \$3,500 for material testing services, and authorize the General Services Manager to approve expenditures of up to \$350 for extra services of Fugro that may result from necessary changes in the scope of work.

#### **DISCUSSION:**

#### **PROJECT DESCRIPTION**

This Project, funded in part by Measure D and Local Surface Transportation Program and Transportation Development Act state grants, consists of constructing sidewalk, access ramps, curbs and gutters, landscaping, and bus stop improvements on the north side of Carrillo Street (between Chino Street and the existing sidewalk link, approximately 850 feet west of Chino Street), and on Meigs Road (between Island View Drive and the existing sidewalk link, approximately 1,000 feet west of Island View Drive). The Project also includes installation of access ramps on the south side of

Meigs Road at the intersections of Dolores Drive, Ricardo Avenue, and Aurora Avenue (see Attachment). Once constructed, the Project will provide a continual link for pedestrians between Downtown Santa Barbara and the Mesa.

## CONTRACT BIDS

A total of nine (9) bids were received for the subject work, ranging as follows:

	<b>BIDDER</b>	<b>BID AMOUNT</b>
1.	V. Lopez Jr. & Sons Santa Maria	\$366,731.00*
2.	Souza and Petersen Construction Co., Inc., Nipomo	\$409,030.00
3.	G. Sosa Construction, Inc. Santa Maria	\$443,130.00*
4.	Granite Construction Co. Goleta	\$551,925.00
5.	Berry General Engineering Oxnard	\$581,965.00
6.	Shaw Excavating & Grading Carpinteria	\$593,532.00
7.	Nye & Nelson, Inc. Ventura	\$595,031.00
8.	Mendez Concrete, Inc. Santa Paula	\$639,986.98
9.	Lash Construction Santa Barbara	\$663,890.00

\*corrected bid total

The low bid of \$366,731, submitted by Lopez, is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$36,675, or 10%, is typical for this type of work and size of project.

## BID PROTEST

On December 18, 2008, a written bid protest was filed by the second apparent low bidder, Souza and Petersen Construction, Inc. (Souza). Souza asserted that it was not apparent in the bid package submitted by Lopez how they intended to perform a minimum of 50% of the contract work. Per section 2-3.2 of the Standard Specifications for Public Works Construction, the general contractor must perform a minimum of 50% of the contract work. Staff requested additional backup information from Lopez and its subcontractors documenting that Lopez would be performing more than 50% of the work. Lopez provided documentation for Staff demonstrating that this minimum threshold would be met.

Subsequently, Staff has corresponded with Souza in writing and verbally concerning the findings and recommendation. Verbally, Souza has implied that they do not wish to pursue the bid protest. However, in the absence of a letter from Souza withdrawing its bid protest, and considering the bid and subsequent information submitted by Lopez, Staff recommends the City Council reject the bid protest and award the contract to the low bidder, Lopez.

## FUNDING

This project is funded in part by Measure D and Local Surface Transportation Program and Transportation Development Act state grants. There are sufficient funds in the Streets Capital Fund to cover the cost of this Project.

The following summarizes the expenditures recommended in this report:

### CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Carrillo Sidewalk Infill Project	\$366,731	\$36,675	\$403,406
<b>TOTAL RECOMMENDED AUTHORIZATION</b>			<b>\$403,406</b>

The following summarizes all project design costs, construction contract funding, and other project costs:

**ESTIMATED TOTAL PROJECT COST**

Design (by City staff)	\$52,850
Other Design Costs - Environmental Assessment, etc.	\$14,370
<b>Subtotal</b>	<b>\$67,220</b>
Construction Contract	\$366,731
Construction Change Order Allowance	\$36,675
<b>Subtotal</b>	<b>\$403,406</b>
Construction Management/Inspection (by City Staff)	\$81,000
Other Construction Costs (materials testing)	\$3,850
<b>Subtotal</b>	<b>\$84,850</b>
<b>TOTAL PROJECT COST</b>	<b>\$555,476</b>

**SUSTAINABILITY IMPACT:**

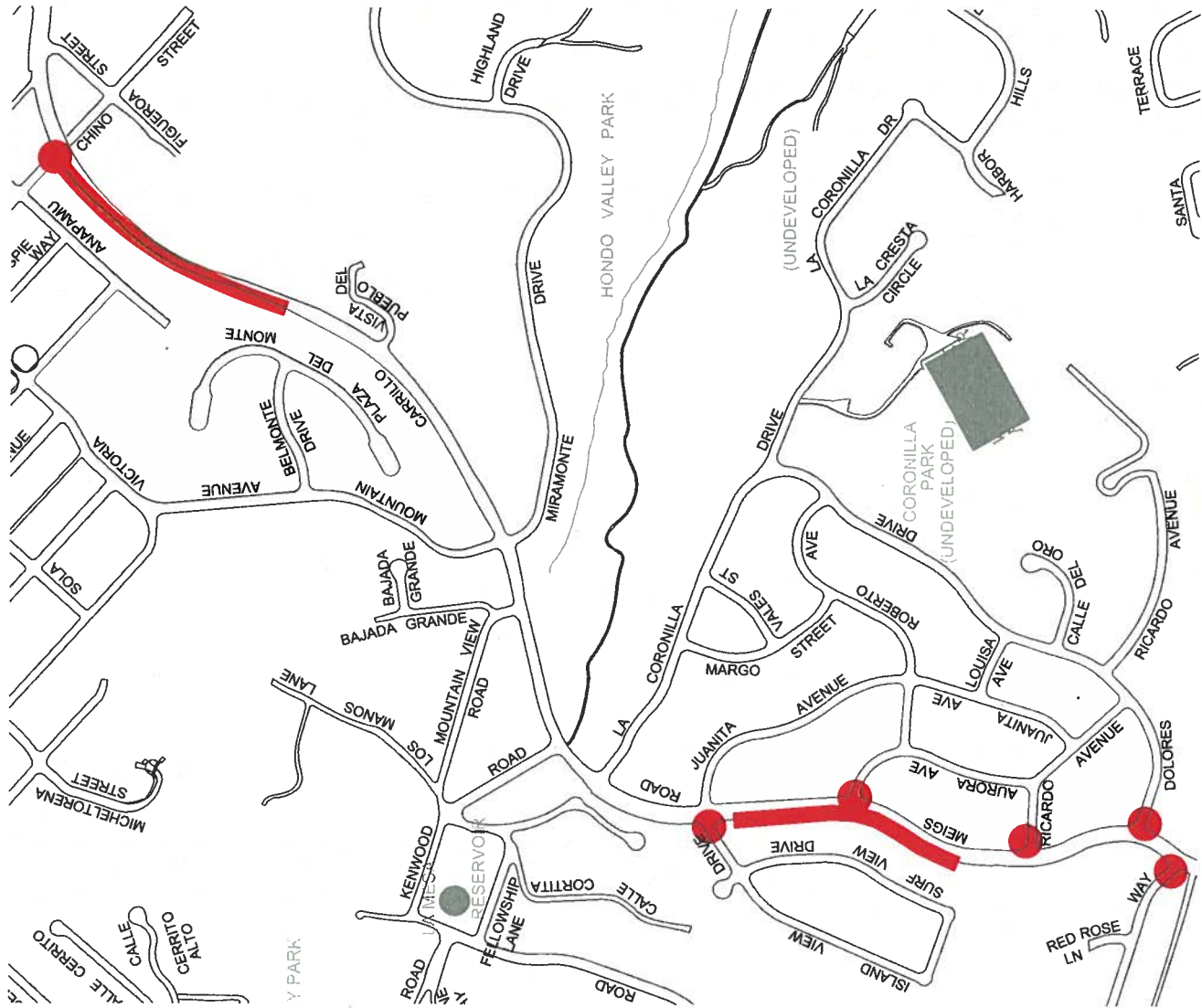
This Project completes an important pedestrian link from the Downtown Santa Barbara area to the Mesa on the north side of Carrillo Street/Meigs Road, thereby enhancing and increasing pedestrian travel, as well as encouraging transit use by providing better access to bus stops.

**ATTACHMENT:** Site Plan

**PREPARED BY:** Joshua Haggmark, Principal Civil Engineer/LA/MK/mj

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



CARRILLO STREET  
SITE LOCATIONS  
(N.T.S.)